1956 No. 898

The Oil in Navigable Waters (Exceptions and Exemptions) Regulations, 1956

Made - - - - 8*th June*, 1956
Laid before Parliament 14*th June*, 1956
Coming into Operation 8*th September*, 1956

The Minister of Transport and Civil Aviation (hereinafter referred to as "the Minister") in exercise of his powers under subsection (3) of Section 1 and under Section 15 of the Oil in Navigable Waters Act, 1955(a) (hereinafter referred to as "the Act") and of all other powers him enabling in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations shall come into operation on the eighth day of September, 1956, and may be cited as the Oil in Navigable Waters (Exceptions and Exemptions) Regulations, 1956.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

Discharges from bilges into prohibited sea areas

2.—(1) Every British ship registered in the United Kingdom is hereby excepted from the operation of subsection (1) of Section 1 of the Act in respect of the discharge from its bilges into an area of the sea which in relation to that ship is a prohibited sea area of a mixture containing lubricating oil which has drained or leaked from machinery spaces but no other oil to which that Section applies.

(2) The provisions of this Regulation shall until 1st June, 1957, have effect as though the reference to lubricating oil included a reference to oil fuel.

Tankers

3.—(1) Subject to the conditions and in the circumstances prescribed in paragraph (2) of this Regulation every British ship, being a tanker registered in the United Kingdom, is hereby excepted from the operation of subsection (1) of Section 1 of the Act in respect of the discharge of a mixture containing oil where the mixture consists only of oil and ballast water or water which has been used for cleaning cargo tanks.

(2) The conditions and circumstances referred to in paragraph (1) of this Regulation are as follows:—

(*a*) at the time of the discharge, the ship is proceeding from a United Kingdom port or from a port within a prohibited sea area to a United Kingdom port or to a port within a prohibited sea area for the purpose either of loading oil or of undergoing repairs;

(*b*) the port to which the ship is proceeding has not facilities adequate to receive the mixture or the oil residue therefrom without causing unreasonable delay to the ship;

(*c*) the discharge is made more than 50 miles from the coast of Norway and more than 100 miles from the coast of the United Kingdom or of any other country which is contiguous with a prohibited sea area:

Provided that until the date on which the International Convention for the Prevention of Pollution of the Sea by Oil, 1954, comes into force (which date shall be notified in the London, Edinburgh and Belfast Gazettes) or until such earlier date as may be determined by the Minister, this Regulation shall have effect:—

(i) in relation to the discharge of a mixture of oil and ballast water from a ship of less than 2,500 tons gross tonnage; and

(a) 3 & 4 Eliz. 2. c. 25. (b) 52 & 53 Vict. c. 63.

(ii) in relation to the discharge of a mixture of oil and water which has been used for cleaning cargo tanks from a ship of less than 500 tons gross tonnage

as though there were substituted for condition (*c*) of this paragraph a condition that the discharge shall be made as far as practicable from land and not to landward of the seaward limits of the territorial waters of the United Kingdom.

(3) For the purposes of this Regulation "prohibited sea area" means an area of the sea specified in Part I of the Schedule to the Act or designated in the Oil in Navigable Waters (Prohibited Sea Areas) (Protection of United Kingdom Coasts) Order, 1956(**a**), as a prohibited sea area in relation to tankers.

Vessels other than tankers

4. Subject to the condition that the discharge is made as far as practicable from land and not to landward of the seaward limits of the territorial waters of the United Kingdom, every British ship registered in the United Kingdom (not being a tanker) which uses bunker fuel tanks for the carriage of ballast water being either:—

(*a*) a ship which is not fitted with an effective means of separating oil from water, or

(*b*) a ship which is so fitted and is proceeding to a United Kingdom port or to a port within a prohibited sea area being in either case a port which has not adequate facilities to receive oil residues

is hereby excepted from the operation of subsection (1) of Section 1 of the Act in respect of a discharge of a mixture containing oil where the mixture consists only of oil from bunker fuel tanks and ballast water:

Provided that in the case of a ship referred to in paragraph (*a*) of this Regulation the foregoing exception shall not have effect after 30th June, 1958.

Discharges from bilges into United Kingdom waters

5. Every vessel of less than 80 tons gross tonnage whether registered or not and of whatever nationality is hereby exempted from the provisions of subsection (1) of Section 3 of the Act (which prohibits the discharge of oil into United Kingdom waters), in respect of the discharge from its bilges of a mixture containing oil where the only oil in the mixture is lubricating oil which has drained or leaked from machinery spaces.

Given under the Official Seal of the Minister of Transport and Civil Aviation this eighth day of June, 1956.

(L.S.) *Harold Watkinson,*
The Minister of Transport and Civil Aviation.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

Regulations 2 to 4 of these Regulations make exceptions from the operation of Section 1 (1) of the Oil in Navigable Waters Act, 1955 (which prohibits the discharge of certain oils into prohibited sea areas); and Regulation 5 exempts certain vessels from the provisions of Section 3 (1) of the Act (which prohibits the discharge of oil into United Kingdom waters).

(**a**) S.I. 1956/899 (p. 1198 below).

Regulation 2 applies to all British ships registered in the United Kingdom and permits, in certain circumstances, the discharge from bilges into a prohibited sea area of a mixture containing oil of particular descriptions.

Regulation 3 applies to British ships being tankers registered in the United Kingdom and permits, subject to prescribed conditions and in prescribed circumstances the discharge of oil-contaminated ballast or tank cleaning water into a prohibited sea area.

Regulation 4 applies to certain British ships registered in the United Kingdom (not being tankers) and permits, in prescribed circumstances, the discharge of oil-contaminated ballast water into a prohibited sea area.

Regulation 5 applies to all vessels of whatever nationality of less than 80 tons gross tonnage and permits the discharge into United Kingdom waters of bilge water containing lubricating oil which has drained or leaked from machinery spaces.

1956 No. 897

The Oil in Navigable Waters (Heavy Diesel Oil) Regulations, 1956

Made - - - -	*8th June*, 1956
Laid before Parliament	*14th June*, 1956
Coming into Operation	*8th September*, 1956

The Minister of Transport and Civil Aviation in exercise of his powers under subsection (2) of Section 1 of the Oil in Navigable Waters Act, 1955(**a**), (hereinafter referred to as "the Act") and of all other powers him enabling in that behalf, hereby makes the following Regulations:—

1. These Regulations shall come into operation on the eighth day of September, 1956, and may be cited as the Oil in Navigable Waters (Heavy Diesel Oil) Regulations, 1956.

2. The Interpretation Act, 1889(**b**), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

3. For the purposes of Section 1 of the Act, heavy diesel oil shall mean marine diesel oil, other than those distillates of which more than half the volume distils at a temperature not exceeding 340 degrees Centigrade when tested by the A.S.T.M. (American Society for Testing Materials) Standard Method D.158-54.

Given under the Official Seal of the Minister of Transport and Civil Aviation this eighth day of June, 1956.

(L.S.)

Harold Watkinson,
The Minister of Transport and Civil Aviation.

EXPLANATORY NOTE

(This Note is not part of the Regulations, but is intended to indicate their general purport.)

These Regulations define heavy diesel oil, being one of the oils the discharge of which within a prohibited sea area is an offence under Section 1 of the Oil in Navigable Waters Act, 1955.

(**a**) 3 & 4 Eliz. 2. c. 25. (**b**) 52 & 53 Vict. c. 63.